

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS**

DIVISION: BEAUMONT	§	DATE: 11/9/16
	§	
JUDGE: RON CLARK	§	REPORTER: Chris Bickham
	§	
MARK A. BARRY, M.D.	§	CIVIL NO.: 1:14cv104
PLAINTIFF	§	
	§	
MEDTRONIC, INC.	§	
DEFENDANT	§	C/R DEPUTY: Faith Ann Laurents

Attorneys for Petitioner: Sean DeBruine, Clay Holloway, Dario Machleicht, Laura Mullendore, Erwin Cena
Attorneys for Claimant: Mary-Olga Lovett, Scott Bornstein, Allan Kassenoff, Richard Pettus, Julie Bookbinder, Aimee Housinger, Clyde Siebman, Elizabeth Forrest

THIS DAY CAME THE PARTIES BY THEIR ATTORNEYS AND THE FOLLOWING PROCEEDINGS WERE HAD:

8:00am	Court resumed. Cross of Ms. Schenk continued. PX#209 (pgs used) admitted.
8:50am	Plaintiff rested. Witness, Susan Sexton, sworn and direct by Mr. Siebman. DX#73 admitted.
9:05am	Court recessed.
9:20am	Court resumed. DX#15, 19, admitted.
9:57am	Cross by Mr. DeBruine.
10:28am	Redirect by Mr. Siebman.
10:30am	Court recessed.
10:45am	Court resumed.
10:49am	Re-cross by Mr. DeBruine.
10:50am	Court given jury questions on notecards. Sidebar to discuss questions.
10:54am	Court asked witness questions.
11:00am	Witness, Rex Armstrong, sworn and direct by Mr. Pettus. DX#438, 367, 368, 197, 459, 460, 463, 461, 207, 209, 210, admitted.
12:00pm	Court recessed.
12:50pm	Court resumed.
12:55pm	Court recessed.

DAVID O'TOOLE, CLERK

/s/ *Faith Ann Laurents*

Deputy Clerk

TOTAL TIME: 7 hrs. 40 mins.

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1:00pm Court resumed. DX#222, admitted.
1:07pm Cross by Mr. Machleicht.
1:20pm Witness, William Meyer, sworn and direct by Mr. Pettus.
DX#233, 180 admitted.
1:50pm Court recessed.

2:05pm Court resumed. DX#219, 226, admitted.
2:22pm Cross by Ms. Mullendore.
2:36pm Witness, Susan Sexton, explained exhibit displayed.
2:45pm Witness, Chris Johnson, sworn and direct by Ms. Bookbinder.
DX#195, 199, 200, 201, 45, admitted.
3:15pm Court recessed.

3:30pm Court resumed. DX#306, 214, 216, 465, 218, 223, 224, 225, 227, 228, 229, 181, 182, 183,
184, 185, 44, 239, 241, 467, 244, 247, 248, 197.
Cross by Mr. Holloway.
4:13pm Sidebar to discuss juror questions of witness.
4:20pm Witness, Dr. Lawrence Lenke, sworn and direct by Mr. Bornstein.
DX#498 admitted.
4:30pm Court recessed.

4:45pm Court resumed. DX#11, admitted.
5:15pm Jury recessed.
Court heard defendant's JMOL's. Court will reserve rulings.
5:50pm Court recessed.